



WESTERN  
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**Gazette**

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# — PART 1 —

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## ENERGY

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EN301\*

Electricity Act 1945

### Electricity Amendment Regulations (No. 3) 2009

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Electricity Amendment Regulations (No. 3) 2009*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Electricity Regulations 1947*.

**4. Regulation 7 amended**

In regulation 7 delete the Penalty.

**5. Regulation 8 amended**

In regulation 8 delete the Penalty.

**6. Regulation 10 amended**

In regulation 10(1) delete the Penalty.

**7. Regulation 253 amended**

- (1) In regulation 253(7) delete “section” and insert:

regulation

- (2) In regulation 253(9):
- (a) delete “that —” and insert:  
  
must not —
  - (b) in paragraph (a) delete “supplies” and insert:  
  
supply
  - (c) in paragraph (b) delete “fails to comply with” and insert:  
  
contravene
  - (d) in paragraph (b)(i) delete “section; or” and insert:  
  
regulation; or
  - (e) in paragraph (b)(ii) delete “section,” and insert:  
  
regulation.
  - (f) delete “commits an offence.”.

**8. Regulation 254 amended**

- (1) Delete regulation 254(4).
- (2) In regulation 254(5) delete “against” and insert:

involving a contravention of

**9. Part IX heading replaced**

Delete the heading to Part IX and insert:

**Part IX — Vegetation control safety  
requirements**

**10. Regulations 281 to 316 deleted**

Delete regulations 281 to 316.

**11. Regulations 317 to 319 deleted**

Delete regulations 317, 318 and 319.

**12. Regulation 340 amended**

In regulation 340 in the Penalty:

(a) delete "\$5 000." and insert:

a fine of \$50 000.

(b) delete "\$20 000." and insert:

a fine of \$250 000.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

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## — PART 2 —

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### AGRICULTURE AND FOOD

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AG401\*

#### SOIL AND LAND CONSERVATION ACT 1945

#### SOIL AND LAND CONSERVATION (QUAIRADING LAND CONSERVATION DISTRICT) AMENDMENT ORDER 2009

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 23 of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Agriculture and Food.

#### 1. Citation

This order may be cited as the *Soil and Land Conservation (Quairading Land Conservation District) Amendment Order 2009*.

#### 2. Principal Order

In this order the *Soil and Land Conservation (Quairading Land Conservation District) Order 1985\** is referred to as the principal order.

(\*Published in the *Gazette of 4 October 1985* at pp. 3923-3924 and amended in the *Gazettes of 20 July 1990* at pp. 3454-3455, 17 May 1994 at p. 2067, and an Amendment Order approved by Executive Council on 23 September 1997 {refer Department of Agriculture reference: 881746V02P0G}).

#### 3. Clause 3 deleted

Clause 3 of the principal order is deleted.

#### 4. Clause 6 deleted and replaced

Clause 6 of the principal order is deleted and replaced with the following—

##### 6. Constitution of committee

(1) It is determined, on the recommendation of the Minister, after consultation with the Shire of Quairading, that the district committee is to comprise 13 members, of whom—

- (a) one is to be the Commissioner of Soil and Land Conservation or a nominee of the Commissioner; and
- (b) the others are to be appointed by the Commissioner.

(2) Of the members appointed under subclause (1)(b)—

- (a) two are to be appointed on the nomination of the Shire of Quairading—
- (b) two are to be appointed under subclause (3);
- (c) one is to be appointed under subclause (4);
- (d) Seven are to be persons actively engaged in, affected by or associated with, land use in the district.

(3) The Western Australian Farmers Federation (Inc.) is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, two persons whose names appear on the panel are to be appointed by the Commissioner.

(4) The Pastoralists and Graziers Association is to submit to the Commissioner a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted, one person whose name appears on the panel is to be appointed by the Commissioner.

(5) The Commissioner may terminate the appointment of a member appointed under subclause (1)(b).

(6) A member appointed under subclause (1)(b) may resign his or her office by written notice addressed to the Commissioner.

#### 5. Clause 7 deleted and replaced.

Clause 7 of the principal order is deleted and replaced with the following—

##### 7. Proceedings of the committee

To the extent that they are not provided for under the *Soil and Land Conservation Act 1945* or Part V11 of the *Interpretation Act 1984*, the committee may determine its own procedures.

By the command of the Lieutenant-Governor and deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.

AG402\*

**SOIL AND LAND CONSERVATION ACT 1945****WELLESLEY LAND CONSERVATION DISTRICT (APPOINTMENT  
OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2009**

Made by the Commissioner of Soil and Land Conservation.

**1. Citation**

This Instrument may be cited as the *Wellesley Land Conservation District (Appointment of Members) Instrument 2009*.

**2. Appointment of members**

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Wellesley Land Conservation District) Order 1990\**, the following members are appointed to the land conservation district committee for the Wellesley Land Conservation District—

- (a) on the nomination of the Shire of Harvey: Francis Roy Burgoyne of Brunswick Junction;
- (b) to represent the Western Australian Farmers Federation (Inc): Bernard Ridley of Brunswick Junction; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
  - (i) Laurie Walsh of Benger
  - (ii) Caris Ann Upston of Benger
  - (iii) David Neil Gay of Roelands
  - (iv) Pam Slinn of Roelands
  - (v) Rod Slinn of Roelands

(\*Published in the Gazette of 19 October 1990 at pp. 5267-69 and amended in the Gazette of 22 July 1994 at p. 3728 and amendment orders approved by Executive Council on 4 November 1997 and 30 November 1999 {Department of Agriculture reference: 881827V02POG} and amended in the Gazette of 10 July 2009 at pp. 2749-50).

**3. Term of office**

Members appointed to the committee under this instrument will hold office for a term expiring on 31 August 2012.

ANDREW WATSON, Commissioner of Soil  
and Land Conservation.

Dated this 14th day of September 2009.

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**CONSUMER AND EMPLOYMENT PROTECTION**

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CE401\*

**ASSOCIATIONS INCORPORATION ACT 1987****REINSTATEMENT OF ASSOCIATION****Oil Mallee Association of Western Australian (Inc.)**

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated: 19 October 2009.

SUSAN NULSEN, Director, Business Services,  
for Commissioner of Consumer Protection.

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## CORRECTIVE SERVICES

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CS401\*

**COURT SECURITY AND CUSTODIAL SERVICES ACT 1999**

## PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Commissioner of the Department of Corrective Services has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Cavanagh	Benjamin John	CS10-492	22/10/2009	09/10/2009	30/07/2011

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

BRIAN LAWRENCE, CSCS Contract Manager.

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## FISHERIES

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FI401\*

**FISHERIES ADJUSTMENT SCHEMES ACT 1987**

**SOUTH WEST COAST SALMON AND RELATED FISHERIES VOLUNTARY  
FISHERIES ADJUSTMENT SCHEME AMENDMENT NOTICE 2009**

FD 354/04 [934]

Made by the Minister under section 10B.

**1. Citation**

This notice is the *South West Coast Salmon and Related Fisheries Voluntary Fisheries Adjustment Scheme Amendment Notice 2009*.

**2. Notice amended**

The amendment in this notice is to the *South West Coast Salmon and Related Fisheries Voluntary Fisheries Adjustment Scheme Notice 2004\**.

**3. Clause 8 amended**

In clause 8 delete “30 October 2009” and insert—

29 January 2010

*[\*Published in the Gazette of 3 August 2004. For amendments to 20 October 2009 see the South West Coast Salmon and Related Fisheries Voluntary Fisheries Adjustment Scheme Amendment Notice 2005 published in the Gazette of 29 July 2005, the South West Coast Salmon and Related Fisheries Voluntary Fisheries Adjustment Scheme Amendment Notice 2006 published in the Gazette of 31 March 2006 and the South West Coast Salmon and Related Fisheries Voluntary Fisheries Adjustment Scheme Amendment Notice 2008 published in the Gazette of 4 March 2008.]*

Dated this 22nd day of October 2009.

NORMAN MOORE, Minister for Fisheries.

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## LOCAL GOVERNMENT

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LG401\*

**DOG ACT 1976**

*Shire of Dardanup*

## DOG REGISTRATION OFFICER

It is hereby notified for public information that the following Officers have been appointed by Council as Authorised Dog Registration Officers under the *Dog Act 1976*, effective immediately, until further notice.



## Appointments—

Vicki Lingwood	Suzette Sutton
Naomi Newport	Carmel Soulos
Natalie Hopkins	Sharon Kleinman
Margaret Raymer	Christine Routley
Sarah Robinson	

M. L. CHESTER, Chief Executive Officer.

Dated: 23 October 2009.

**LG402\*****LOCAL GOVERNMENT ACT 1995***City of Melville***AUTHORISED PERSONS**

It is hereby notified for public information that Christopher Baddeley and Everett Deakynne have been appointed as Authorised Persons at Garden City Shopping Centre Booragoon (as defined in the City of Melville Parking Facilities Local Laws) and as Authorised Persons for the purposes of Section 9.10, 9.13 and 9.15 of the *Local Government Act 1995*.

SHAYNE SILCOX, Chief Executive Officer.

**LG403\*****LOCAL GOVERNMENT ACT 1995***Shire of Augusta-Margaret River***(BASIS OF RATES)**

Department of Local Government.

DLGRD: AM5-4#06

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, Director General of the Department of Local Government under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 29 September 2009.

JENNIFER MATHEWS, Director General.

**Schedule****ADDITIONS TO GROSS RENTAL VALUE AREA****SHIRE OF AUGUSTA-MARGARET RIVER**

All that portion of land being Lot 30 as shown on Diagram 69239; Lot 410 as shown on Deposited Plan 112114 and Lot 1072 as shown on Deposited Plan 144473.

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**MINERALS AND PETROLEUM**


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**MP401\*****MINES SAFETY AND INSPECTION ACT 1994****MINES SAFETY AND INSPECTION (CODE OF PRACTICE) NOTICE 2009**

Published in accordance with section 93(4)

**1. Citation**

This notice may be cited as *the Mines Safety and Inspection (Code of Practice) Notice 2009*.

**2. Approval of code of practice**

(1) Notice is given that on 20 October 2009 the Minister for Mines and Petroleum approved the "*Code of Practice: Consultation at Work*", considered by the Mining Industry Advisory Committee

(September 2009), as a code of practice under section 93(1) of the *Mines Safety and Inspection Act 1994*.

(2) Under section 93(4) of the Act approval of the code of practice comes into force on the day of publication of the notice in the *Government Gazette*.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

*Note: A copy of the code practice referred in this notice is available for inspection (without charge) from the Department of Mines and Petroleum Library, Mineral House, 100 Plain Street, East Perth or on the Resources Safety website: [www.dmp.wa.gov.au/ResourcesSafety](http://www.dmp.wa.gov.au/ResourcesSafety)*

*The code of practice can be obtained from the Resources Safety Division of the Department of Mines and Petroleum, Level 1, 303 Sevenoaks Street, Cannington, telephone: (08) 9358 8154 or email: [RSDComms@dmp.wa.gov.au](mailto:RSDComms@dmp.wa.gov.au)*

MP402\*

### PETROLEUM PIPELINES ACT 1969

#### VARIATION OF PIPELINE LICENCE

Pipeline Licence PL19 held by, BHP Petroleum (Ashmore Operations) Pty Ltd has been varied by instrument of Variation 4P/09-0, to authorise the Licensee to maintain the supply of gas to Onslow by reversing the flow of gas in PL19 and supplying gas from the main Dampier to Bunbury Pipeline at Compressor Station 2.

W. L. TINAPPLE, Executive Director,  
Petroleum and Environment Division.

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## PARLIAMENT

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PA401\*

### PARLIAMENT OF WESTERN AUSTRALIA

#### Royal Assent to Bills

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Eighth Parliament.

Title of Act	Date of Assent	Act No.
Co-operatives Act 2009	22 October 2009	24 of 2009

MALCOLM PEACOCK, Clerk of the Parliaments.

23 October 2009.

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## PLANNING

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PI101\*

### CORRECTION

#### PLANNING AND DEVELOPMENT ACT 2005

#### METROPOLITAN REGION SCHEME AMENDMENT 1166/57

#### SOUTH WEST DISTRICTS OMNIBUS 8

#### Notice of Approved Amendment

It is hereby notified for public information that the notice under the above Amendment No. 1166/57 published at page 4091 of the *Government Gazette* No. 187 dated 20 October 2009, contained an error in paragraph one, which is now corrected as follows—

For the words: 'number 3.2279'

To read: 'numbers 1.5638/1, 1.5639 and 1.5640'

TONY EVANS, Secretary,  
Western Australian Planning Commission.

PI401\*

**PLANNING AND DEVELOPMENT ACT 2005***Shire of Augusta-Margaret River*

LOCAL INTERIM DEVELOPMENT ORDER NO. 16

Ref: 26/6/3/1 Vol 4

Notice is hereby given that the Minister for Planning has approved of the extension for twelve months from 27 October 2009 of the Shire of Augusta-Margaret River Local Interim Development Order No. 16 pursuant to the provisions of part 6, division 3, section 107(3)(b) of the *Planning and Development Act 2005*.

(Sgd.) for TONY EVANS, Secretary,  
Western Australian Planning Commission.

PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**

APPROVED LOCAL PLANNING SCHEME AMENDMENT

*City of Albany*

Town Planning Scheme No. 1a—Amendment No. 168

Ref: 853/5/2/15 Pt 168

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Albany local planning scheme amendment on 6 October 2009 for the purpose of—

1. Rezoning Lot 731 Wellington Street, Centennial Park from 'Clubs and Institutions' to 'Residential R60'.
2. Designating Lot 731 Wellington Street, Centennial Park as 'Special Site S45'.
3. Amending Appendix II—'Schedule of Special Sites' as follows—

	CODE No.	PARTICULARS OF LAND	BASE ZONE	ADDITIONAL USE	CONDITIONS
S45	S45	Lot 731 Wellington Street, Centennial Park	Residential R60	Nil	**

**\*\* Conditions**

1. A development setback from the boundary to the Yakamia Drain (Reserve 34381, Lot 1262) will apply to all buildings. The distance of this setback is to be determined by the local government in consultation with the Department of Water at the time of subdivision and/or development and is to take into account—

- The potential for flooding of the Yakamia Drain;
- any future drainage or flood mitigation works undertaken or planned on the site or in the locality; and
- The application of water sensitive urban design principles to maintain adequate stormwater quality prior to it entering Yakamia Creek.

2. The Commission may impose a condition at the time of subdivision, or the local government may impose a condition at the time of development requiring the developer to provide drainage and landscaping details that detail the—

- Need for any treatment or upgrade of the open drain as a result of the development;
- Proposed interface between the creek and the private land; and
- Manner and responsibility for any works to be undertaken by the developer, the local government or other parties.

3. The Commission may require a detailed site assessment for acid sulphate soils in accordance with the Department of Environment and Conservation (DEC) Guidelines to be lodged with 'Acid Sulphate Soils Self Assessment Form' to accompany any application for subdivision, and/or may after consultation with the DEC impose a condition at the time of development for the preparation and implementation of an Acid Sulphate Soil Management Plan.

4. The local government may require a detailed site assessment for acid sulphate soils in accordance with the Department of Environment and Conservation (DEC) Guidelines to be lodged with any development application and/or may after consultation with the DEC impose a condition at the time of development for the preparation and implementation of an Acid Sulphate Soil Management Plan.

5. The local government may request the Commission to impose a condition at the time of subdivision or the local government may impose a condition at the time of development for the removal of surface soils and replacement with compacted clean sand and sub-surface drainage to the satisfaction of the local government.

6. The local government may impose a condition at the time of development requiring noise attenuation measures and/or the preparation and implementation of a noise management plan.

7. Prior to the development and/or subdivision of the land, the proponent is required to prepare design guidelines for the site to the satisfaction of the local government and such guidelines shall address matters including (but not limited to)—

- Building construction, including glazing, door treatments, roof form, walls, ceilings, construction and use of fixed openings;
- House design, including the sitting of outdoor entertaining areas as well as less noise sensitive internal rooms;
- The Design interface of Yakamia Creek and Centennial Park recreation area which shall accommodate passive surveillance principles;
- Boundary fencing details;
- Access and parking requirements;
- Landscaping, including the use of water sensitive urban design techniques; and
- 'Quiet house' design.

And amending the Scheme Maps accordingly

M. J. EVANS, Mayor.  
P. R. RICHARDS, Chief Executive Officer.

PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Albany*  
Town Planning Scheme No. 3—Amendment No. 279

Ref: 853/5/4/5 Pt 279

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Albany local planning scheme amendment on 7 September 2009 for the purpose of—

1. Rezoning Lot 2 Frenchman Bay Road, Big Grove from 'Tavern' to 'Residential Development' zone.
2. Rezoning Lots 9 and 10 Panorama Road, Big Grove from 'Rural' to 'Residential Development' zone.
3. Rezoning Lots 11 and 12 Panorama Road, Big Grove from 'Special Rural—SR7' to 'Residential Development' zone.
4. Rezoning Lots 4, 16, 301, 302 303 and 9000 Frenchman Bay Road, Big Grove from the 'Rural' zone to 'Residential Development' zone.
5. Changing the designation of Lot 66 and a portion of Lot 7811 from the 'Rural' zone to 'Parks and Recreation' reserve.
6. Changing the designation of Lot 5 from the 'Rural' zone to 'Public Purposes' reserve.
7. Amending the Scheme Map accordingly.
8. Deleting Special Rural Area 7 from Schedule I of Town Planning Scheme No. 3.
9. Inserting Clause 5.8 (c) as follows—

The provisions of the Residential Design Codes may be varied for new urban residential areas and large urban infill sites by a structure plan and/or a Detailed Area Plan approved by Council and endorsed by the Western Australian Planning Commission.

10. Including the following row in Table III—Residential Design Codes Density Applicable to Land Within the Scheme Area—

<i>Lots Zoned Residential Development</i>	<i>Density as depicted on the endorsed Structure Plan</i>
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M. J. EVANS, Mayor.  
P. R. RICHARDS, Chief Executive Officer.

PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**RESOLUTION DECIDING TO PREPARE A LOCAL PLANNING SCHEME**

*Shire of Wyndham East Kimberley*

Local Planning Scheme No. 8

Notice is hereby given that the Shire Council of the local government of Wyndham East Kimberley on the 19th of May 2009 passed the following Resolution—

Resolved that the local government, in pursuance of section 72 of the *Planning and Development Act 2005* (as amended), prepare the above Local Planning Scheme with reference to an area situated wholly within the Shire of Wyndham East Kimberley and enclosed within the inner edge of the dashed black border on a plan now produced by the Council of the local government and marked and certified by the Chief Executive Officer under his hand dated the 19th day of May 2009 as “Scheme Area Map”.

Dated this 19th day of May 2009.

ALEX DOUGLAS, Acting Chief Executive Officer.

PI405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

*Shire of Serpentine-Jarrahdale*

Town Planning Scheme No. 2—Amendment No. 163

Ref: 853/2/29/3 Pt 163

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Serpentine-Jarrahdale local planning scheme amendment on 9 September 2009 for the purpose of—

1. Rezoning portions of Lot 9010 South Western Highway, Byford from “Public Open Space” to “Public and Community Purposes”, from “Residential R20” to “Public Open Space”, and from “Public Open Space” to “Residential R20”.
2. Rezoning portion of Lot 103 Nettleton Road, Byford from “Urban Development” to “Public and Community Purposes”.
3. Annotating the scheme map accordingly.

S. J. Y. TWINE, Shire President.  
 J. ABBISS, Chief Executive Officer.

## DECEASED ESTATES

ZX401

**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Estate of the late Dragan Dobreskovic, late of Unit 2/6 Fragrant Gardens, Mirrabooka, deceased.

Creditors and other persons having claims to which section 63 of the *Trustees Act 1962*, relates in respect of the estate of the deceased, who died on 26 June 2009 are required by the Administrator Natasha Di Vincenzo c/- PO Box 5333, Albany WA 6332 to send particulars of their claims to them by 30 November 2009, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated the 27th day of October 2009.

ZX402\*

**TRUSTEES ACT 1962**  
**DECEASED ESTATES**

Notice to Creditors and Claimants

Christopher Joseph Halstead, late of 5/11 Hill Place, Karratha, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect to the estate of the above deceased who died on 19 February 2009, are required by the deceased's personal representative to send particulars of their claim to the Administrator of the Estate of Christopher Joseph Halstead; Walter Halstead of 9 Sopwith Elbow, Maylands WA 6051, within one month of the date of this publication after which date the personal representative may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated: 27 October 2009.

ZX403

**TRUSTEES ACT 1962**  
**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Sharon Anne Sweeney late of 84 Lakeside Drive, Helena Valley, who died on 23 February 2008 are required by the personal representative to send particulars of their claims to him care of Irdi Legal, Solicitors of 248 Oxford Street, Leederville by 28 November 2009 after which date the personal representative may convey or distribute assets, having regard only to the claims of which he then has notice.

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Within WA.....	334.00
Interstate .....	372.00
Overseas .....	433.00
Half Calf Bound Statutes .....	923.00

#### **Loose Statutes**

Statutes are posted weekly as they become available.

	\$
Within WA.....	360.00
Interstate .....	372.00

#### **Sessional Bills**

Bills are posted weekly as they become available.

	\$
Within WA .....	495.00
Interstate .....	519.00

## CLAIMS FOR MISSING SUBSCRIPTION ITEMS

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this period will not be recognised and will attract payment in full.